



**SHREWSBURY CONSERVATION COMMISSION
SHREWSBURY, MASSACHUSETTS**

MINUTES

Regular Meeting: January 16, 2007 – 7:00 P.M.

Location: Selectmen's Hearing Room - Municipal Office Building

Present: John J. Ostrosky, Chairman
Robert P. Jacques, Vice-Chairman
Dorbert A. Thomas, Clerk
Patricia M. Banks
Kenneth F. Polito

Also Present: Brad Stone, Agent

Mr. Ostrosky opened the meeting at 7:00 P.M.

1. Review and Approve Minutes

The Conservation Commission approved the Minutes as follows:

November 21, 2006 – approved as submitted with Mrs. Thomas abstaining from the vote as she did not attend this meeting

December 19, 2006 – approved as submitted

2. Signed bills.

3. Meetings and Hearings – 7:05 P.M.

Mr. Ostrosky announced at the beginning of hearings that the following hearings were being postponed as follows:

- 1) Notice of Intent filed by George Russell for the construction of an industrial subdivision at 455 Hartford Turnpike postponed to February 20, 2007*
- 2) Notice of Intent filed by James Doherty for the construction of a retaining wall at 86 Lakeside Drive to February 20, 2007*
- 3) MJ & KJ Realty, LLC for the construction of a retaining wall and associated grading at 29 Grafton Circle to February 20, 2007*

285-1404 Continued – Public Hearing regarding the Notice of Intent filed by George Russell for the construction of an industrial subdivision at 455 Hartford Turnpike

Mr. Ostrosky continued the hearing to February 20, 2007.

285-1417 Continued – Public Hearing regarding the Notice of Intent filed by S.J. Turnblom Construction Corporation for the construction of a single family home at 119 Gulf Street

No representative attended this hearing. The Commission agreed to allow a continuance.

Mr. Ostrosky continued the hearing to February 20, 2007.

RDA Public Meeting regarding the Request for Determination of Applicability filed by James Doherty for the construction of a retaining wall at 86 Lakeside Drive

Mr. Ostrosky continued the hearing to February 20, 2007.

RDA Public Meeting regarding the Request for Determination of Applicability filed by Juliana Karoway for the construction of retaining walls at 220 South Quinsigamond Avenue

Attending the hearing were Juliana Karoway – the homeowner, and her builder. Ms. Karoway said, as discussed in the informal meeting on December 19, 2006, she wants to replace three retaining walls. She said she wants to do this work while her neighbor is building their house; and commented that she has been given permission to go onto their property to do the work while the house is being built.

Mr. Stone said this work should also be done while there is the drawdown of the lake.

Mr. Ostrosky noted that there will be improvements made as well with the piping for drainage.

Mr. Ostrosky closed the discussion and meeting. The Commission voted to issue a negative determination.

285-** Public Hearing regarding the Notice of Intent filed by Wendy Tomaiolo for the construction of a single family house at 102 Reservoir Street**

Attending the hearing were John Grenier – the engineer from J.M. Grenier Associates, Inc.; and Leonard Tomaiolo – the homeowner. Mr. Grenier said this filing is for construction of a single family home. He said one Cherry Tree will have to come down, and commented that it was not in good condition anyway.

Mr. Grenier said there is a 30-foot buffer to the wetland and they are outside that.

Mr. Jacques said he would somehow like to delineate the wetland to protect it; maybe with a split rail fence. Mr. Grenier said they could do that.

Mr. Jacques asked, on the west side, the garage side, if that area could be marked in some way; bring a fence up to A5 & A6 flags.

Mrs. Banks asked about the driveway. Mr. Grenier said the closest point of the driveway is 10 feet away from wetland line.

Mr. Ostrosky said they could come up with a plantings plan to mark the wetland line and show it to Mr. Stone. The Commission agreed they were looking for split rail fence with vegetative back up.

Mr. Ostrosky officially closed the hearing.

285-** Public Hearing regarding the Notice of Intent filed by Highland Hills, LLC for the construction of three single family homes at Lots 9, 36, and 41; and for the construction of a sidewalk and footbridge at Lot 10 of the Highland Hill Subdivision, located at Laurel Ridge Lane and Highland Hill Drive**

Attending the hearing were Frank Tomaiolo – the developer; and Chris Keenan – an engineer from Quinn Engineering.

Mr. Keenan said a portion of these lots falls within the buffer area, but there is no filling proposed.

Mr. Keenan said there is also a footbridge proposed at Lot #10. He said Mr. Stone had asked for more detail which he has submitted. He commented that the footbridge crosses at minimal area of wetland.

Mr. Keenan said he also found out this afternoon that the driveway locations have to be moved for all of these lots. Mrs. Banks asked the new location of these driveways and Mr. Keenan showed.

Mr. Keenan said they are proposing no work beyond the haybale line.

There was discussion that footbridge location should be changed from what the original plan shows; all agreed, including Mr. Tomaiolo and Mr. Keenan, on another location.

Mr. Ostrosky continued the hearing to February 20, 2007, for revised drawings.

285-** Public Hearing regarding the request for an Amended Order of Conditions filed by MJ & KJ Realty, LLC for the construction of a retaining wall and associated grading at 29 Grafton Circle**

Mr. Ostrosky continued the hearing to February 20, 2007.

285-1336 Discuss Enforcement Order – 76 Lakeside Drive

Scott Norton attended the meeting. He said he hired a company which was recommended by a neighbor. The company was supposed to take care of all the permitting. He said he didn't know that the permitting wasn't done. Mr. Stone said he told Mr. Norton he wanted a Notice of Intent filed and the Commission never saw it, and the wall is complete.

Mr. Stone said the problem with the wall work is it is higher than what the Commission usually likes to have; and said the Commission likes terracing. He said this work does involve work in the buffer.

Mr. Stone also commented that he doesn't think the wall was approved by the Building Inspector, so there is no building permit. The Commission expressed concern that there is a safety issue and said Mr. Norton should contact the Building Inspector for his inspection of the wall.

The Commission said they could ask for vegetation in front of the wall if there is no alternative to correcting it, and the wall is found to be safe.

Mr. Stone said on another issue, while there is a drawdown, Mr. Norton did some work in the lake – dredging, took out bikes, tires, etc., and took out mostly muck – about 10-15 5-gallon buckets, without contacting him or the Commission.

The Commission said for the record, they will need site specific drawing – site plan with contours; and said this drawing should be submitted within a couple of months. They also said a letter should be sent to the Building Inspector first informing of the wall construction; and then a letter should be sent to the D.E.P. notifying them of the situation.

285-1308 Discussion regarding 550 South Street

Mr. Stone updated the Commission of the notice received for a prehearing conference on January 31, 2007, at 10:00 a.m., in Boston. He noted that it will be "for the purpose of discussing the consequences of the Conservation Commission's objection to the plan change and the fact that it is no longer a party to this proceeding." The Commission noted and asked Mr. Stone to continue to keep them updated.

4. New Business

a. Discussed/Signed Draft Orders of Conditions and Requests for Determination of Applicability

285-1417	119 Gulf Street – continued
285-RDA	220 South Quinsigamond Avenue – voted negative determination
285-****	102 Reservoir Street – conditionally approved
285-****	Lots 9, 10, 36, 41 Highland Hill Subdivision – continued

5. Old Business

a. Discussed/Signed Certificates of Compliance

285-1094	Southwoods Subdivision
285-1332	Cosmopolitan Estates Subdivision – <i>Mr. Stone said he did a sitewalk before this meeting and found there was a lot of asphalt which is not in the Order of Conditions. He recommended the Commission sign the Certificate of Compliance and he will hold in Engineering until they are satisfied with the work to correct this issue.</i>

5. Old Business (Cont'd)

a. Discussed/Signed Certificates of Compliance (Cont'd)

285-1280 20 Stone Meadow Farm Drive
285-155 South Street – Digital Equipment Corporation
285-408 South Street – Digital Equipment Corporation
285-785 South Street – Quantum Corporation
285-772 South Street – Quantum Corporation
285-1217 Lot 1 Gold Street
285-1218 Lot 2 Gold Street

b. Discussed/Signed Extension Permit Requests

285-1267 141 Spring Street – Mr. Stone said this Order of Conditions was for pond treatment; and said the treatment is going well and he recommends signing the extension for three years. The Commission voted to sign the extension permit.

6. Correspondence

7. Miscellaneous

- a)** Mr. Stone said he is looking to the Commission for a vote on the exchange of lots request from Brendon Properties for Adams Farm I. The Commission voted to authorize the exchange of lots (5 lots Phase I for 5 lots Phase II) as requested by Brendon Properties.
- b)** Mr. Stone submitted to each Commission member a copy of the 2008 budget proposal for FY2008; and noted that the trout stocking money has been taken out.

Respectfully Submitted,

Annette W. Rebovich